

Senate Study Bill 3033

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
VETERANS AFFAIRS BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to requirements and duties of members, directors,
2 and employees of county commissions of veteran affairs.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5482DP 82
5 md/rj/8

PAG LIN

1 1 Section 1. Section 35A.5, subsection 9, Code Supplement
1 2 2007, is amended to read as follows:
1 3 9. After consultation with the commission, provide
1 4 training to ~~executive commissioners, directors, and~~
1 5 ~~administrators~~ of county commissions of veteran affairs
1 6 pursuant to section 35B.6. The department may adopt rules in
1 7 accordance with chapter 17A to provide for training of county
1 8 veteran affairs ~~executive commissioners, directors, and~~
1 9 ~~administrators~~.
1 10 Sec. 2. Section 35B.6, Code 2007, is amended to read as
1 11 follows:
1 12 35B.6 QUALIFICATION == TRAINING == OFFICES.
1 13 1. a. The members of the commission shall qualify by
1 14 taking the usual oath of office, and give bond in the sum of
1 15 five hundred dollars each, conditioned for the faithful
1 16 discharge of their duties with sureties to be approved by the
1 17 county auditor. The commission shall organize by the
1 18 selection of one of their members as chairperson, and one as
1 19 secretary. ~~The commission, subject to the approval of the~~
1 20 ~~board of supervisors, shall have power to employ an executive~~
1 21 ~~director and other necessary administrative or clerical~~
1 22 ~~assistants when needed, the compensation of such employees to~~
1 23 ~~be fixed by the board of supervisors, but no member of the~~
1 24 ~~commission shall be so employed. The commission shall employ~~
1 25 ~~a director or administrator, and other necessary~~
1 26 ~~administrative or clerical assistants when needed. The~~
1 27 ~~compensation of the director, administrator, or other~~
1 28 ~~necessary administrative or clerical employees shall be set by~~
1 29 ~~the commission at a rate comparable to the rate set for other~~
1 30 ~~similar positions in the county. A commissioner shall not be~~
1 31 ~~employed as a director, administrator, or an administrative or~~
1 32 ~~clerical assistant. Commissioners shall complete a course of~~
1 33 ~~initial training provided by the department of veterans~~
1 34 ~~affairs pursuant to section 35A.5. The executive director~~
1 35 must possess the same qualifications as provided in section
2 1 35B.3 for commission members. However, this qualification
2 2 requirement shall not apply to a person employed as an
2 3 executive director prior to July 1, 1989.
2 4 b. The commission may employ an administrator in lieu of a
2 5 director. Administrators shall not be required to meet all
2 6 the qualifications provided in section 35B.3 for
2 7 commissioners.
2 8 c. Upon the employment of ~~an executive~~ a director or
2 9 ~~administrator~~, the ~~executive~~ director or administrator shall
2 10 complete a course of initial training provided by the
2 11 department of veterans affairs pursuant to section 35A.5. ~~if~~
2 12 ~~an executive director is not appointed, a commissioner or a~~
2 13 ~~clerical assistant shall complete the course of training. The~~
2 14 department shall issue the ~~executive~~ director, ~~administrator,~~
2 15 commissioner, or clerical assistant a certificate of training
2 16 after completion of the initial training course. To maintain
2 17 annual certification, the ~~executive~~ director, ~~administrator,~~
2 18 commissioner, or clerical assistant shall attend one
2 19 department training course each year. Failure to maintain

2 20 certification may be cause for removal from office. The
2 21 expenses of training shall be paid from the appropriation
2 22 authorized in section 35B.14.
2 23 d. The duties of the director, administrator, and clerical
2 24 assistant shall include all of the following:
2 25 (1) Inform members of the armed forces, veterans, and
2 26 their dependents of all federal, state, and local laws enacted
2 27 for their benefit.
2 28 (2) Assist all residents of the state who served in the
2 29 armed forces of the United States and their relatives,
2 30 beneficiaries, and dependents in receiving from the United
2 31 States and this state any and all compensation, pensions,
2 32 hospitalization, insurance, educational, employment pay and
2 33 gratuity, loan guarantees, or any other aid or benefit to
2 34 which they may be entitled under any law.
2 35 e. The department of veterans affairs or county veterans
3 1 affairs offices shall not charge for any service provided to
3 2 any individual.
3 3 2. Two or more boards of supervisors may agree, pursuant
3 4 to chapter 28E, to share the services of ~~an executive a~~
3 5 ~~director or administrator~~. The agreement shall provide for
3 6 the establishment of a commission of veteran affairs office in
3 7 each of the counties participating in the agreement.
3 8 3. ~~The commission with the approval of the board of~~
3 9 ~~supervisors shall appoint one of the deputies of the county~~
3 10 ~~auditor to serve as administrative assistant to the~~
3 11 ~~commission, to serve without additional compensation, unless~~
3 12 ~~for good reasons shown, this arrangement is not feasible.~~
3 13 4. ~~In counties where a The commission has established~~
3 14 ~~shall establish an office, the office which shall be open a~~
3 15 ~~minimum of four hours each workday. The hours that the office~~
3 16 ~~is open shall be posted in a prominent position outside the~~
3 17 ~~office. In lieu of an office being open a minimum of four~~
3 18 ~~hours each workday, the names, home addresses, telephone~~
3 19 ~~numbers, and duties of commission members shall be posted.~~
3 20 Sec. 3. Sections 35B.17 and 35B.18, Code 2007, are
3 21 repealed.

3 22 EXPLANATION

3 23 Current Code section 35B.6 allows county commissions of
3 24 veteran affairs to employ an executive director and other
3 25 necessary administrative or clerical assistants when needed.
3 26 This bill requires county commissions of veteran affairs to
3 27 employ a director or administrator, and other necessary
3 28 administrative or clerical employees. The bill changes the
3 29 term "executive director" to "director". Compensation for the
3 30 director, or administrator, and other necessary employees
3 31 shall be set by the commission at a rate comparable to the
3 32 rate set for similar positions in the county. The bill
3 33 prohibits commissioners from being employed as a director,
3 34 administrator, or other commission employee.

3 35 The bill also requires commissioners to complete a course
4 1 of initial training provided by the department of veterans
4 2 affairs. The director, administrator, commissioners, and
4 3 clerical assistants shall also attend one department training
4 4 course per year to maintain their annual certification.

4 5 The bill describes the duties of the director,
4 6 administrator, and clerical assistant. Those duties include
4 7 informing members of the armed forces, veterans, and their
4 8 dependents of all federal, state, and local laws enacted for
4 9 their benefit, and assisting all residents of the state who
4 10 served in the armed forces and their relatives, beneficiaries,
4 11 and dependents in receiving any and all compensation or any
4 12 other aid or benefit to which they may be entitled under any
4 13 law.

4 14 The bill allows two or more county boards of supervisors to
4 15 share the services of a director or administrator. The bill
4 16 requires each commission to establish an office which must be
4 17 open for at least four hours each workday. The bill prohibits
4 18 charging any individual for any service provided by the
4 19 department of veterans affairs or county veterans affairs
4 20 offices.

4 21 The bill also removes the board of supervisors' duty to
4 22 appropriate and pay to the owners or controllers of cemeteries
4 23 within the state, funds to pay for the care and maintenance of
4 24 lots on which any deceased service person is buried.

4 25 LSB 5482DP 82

4 26 md/rj/8